

EASTERN REGIONAL SERVICE BOARD

Minutes of Meeting #1

November 9, 2011

7:00 p.m.

Capital Hotel, St. John's

In Attendance

Dave Aker, Mount Pearl
Ches Ash, Trinity Conception North
Bill Bailey, Clarenville & Isthmus
Walter Butt, Small Metro
Joy Dobbie, Trinity Bay South & Isthmus East
Shannie Duff, St. John's
Woodrow French, Conception Bay South
Frank Galgay, St. John's
Derrick Green, Bay Roberts
Sandy Hickman, St. John's
Harold Mallowney, Southern Shore
Sheilagh O'Leary, St. John's
Sterling Willis, Paradise

Regrets

Danny Breen, St. John's
Gerry Colbert, St. John's
Wally Collins, St. John's
Debbie Hanlon, St. John's
Tom Hann, St. John's
Bruce Tilley, St. John's
Joe Pittman, General Manager,
Burin Peninsula Waste Management Corporation

Guests

Bonavista Peninsula Waste Management
Darryl Johnson, Chairperson
Sarah Morgan, Regional Coordinator
Municipal Affairs
Sandra Barnes, Deputy Minister
Cluney Mercer, Assistant Deputy Minister
Cory Grandy, Director of Waste Management
Matthew Byrne, Eastern NL WM Coordinator
Sheila Field, Program & Policy Dev Specialist
Chad Blundon, Director, Local Governance
MMSB
Leigh Puddester, Chair & CEO
Eastern Waste Management
Ken Kelly, Chief Administrative Officer
Lynn Tucker, Program Coordinator
Kevin Power, Field Operations Officer
Michelle Squires, Administrative Assistant
Outgoing EWM Committee Members
Paul Mackey, St. John's
Leo Moriarty, Ferryland
Ralph Wiseman, Paradise
Robert Codner, Torbay

1. Call to Order

Mr. Cory Grandy, Director of Waste Management, Department of Municipal Affairs called the meeting to order at 7:00 p.m.

2. Introductions – Department of Municipal Affairs

Mr. Grandy welcomed members of the Eastern Regional Service Board (ERSB) and all guests to this, the inaugural meeting of the ERSB. Round table introductions were completed by ERSB members.

Mr. Grandy noted that Mr. Darryl Johnson and Ms. Sarah Morgan are here this evening on behalf of the Bonavista Peninsula Regional Waste Management Committee (BPRWM). In addition, an invitation was extended to the Burin Peninsula Waste Management Corporation (BPWMC) to attend; however, they sent regrets for this evening's meeting. Representatives of both the BPRWM and BPWMC will be attending ERSB meetings as observers as the intent is to eventually have them use the Regional Facility at Robin Hood Bay.

In addition, Mr. Grandy thanked the outgoing Eastern Waste Management Committee members for their valuable contribution to the advancement of the *Provincial Waste Management Strategy* and the development of the *Eastern Waste Management Plan*.

Mr. Grandy introduced all other guests.

3. Background, Regional Plan and Current Status – Department of Municipal Affairs

The following information was presented by Mr. Cory Grandy:

Background

- Current Committee was established in 2008 with initial appointments made in March 2008 and subsequent re-appointments and appointments to fill vacancies over the past 3 years.
- First created as the Greater Avalon Regional Waste Management Committee and changed in 2009 to the Eastern Waste Management Committee.
- Ken Kelly was appointed as Chairperson in September 2008.
- The Committee was mandated to:
 - "...initiate action to support a single waste management facility, which has been identified as Robin Hood Bay, to serve the Greater Avalon region of the province at a reasonable cost to residents, and which will incorporate programs of household hazardous waste, waste reduction and diversion, composting and recycling."
 - "...move the committee membership and chairperson from an appointed committee to an elected regional authority." And "Formally establish a Regional Waste Management Authority through an election process."
- Robin Hood Bay (RHB) approved as the site of waste management facilities in the Eastern Region. (letter from Minister Denine to Mayor Wells, November 2007). A copy has been provided to all ERSB members in their orientation binders.
 - Robin Hood Bay would continue to be owned and operated by the City of St. John's for the benefit of all users in the Eastern Region.
 - Robin Hood Bay will be managed as a separate financial entity.
 - Operational costs to be recovered through the tipping fee, with no profit or loss to accrue to the City of St. John's; annual surplus/deficit will carry forward.
 - Committee/Board to approve the RHB budget and resultant tipping fee annually.
- Concurrent with the formation of the Eastern Waste Management Committee, various clusters of communities (sub-regions) throughout the Region were coming together to find a solution to open burning of waste and poor operations at local dumps.

- The Eastern Waste Management Committee worked with these sub-regional groups to formalize their organization and to establish shared waste management services that are administered by Eastern Waste Management.
- In the fall of 2009, the Trinity Bay South area became the first group under Eastern Waste Management to transport their waste to Robin Hood Bay.

Mr. Grandy elaborated that the sub-region of Trinity Bay South were first to go to the Regional Facility at RHB. This sub-region consists of eight (8) local service districts that entered into a joint contract in September 2009 at an annual per household fee of \$230 for permanent residents and \$115 annually for seasonal properties. Everything is working well and there has been no real issues raised by residents regarding the service. At this time, they have an approximate collection rate of 90% of overall waste fees.

Mandate Fulfilled

- The Committee has concluded its mandate with two major pieces of work completed:
 - Development and submission of the *Eastern Waste Management Plan*.
 - Development of a Board Governance Model and Transition to a Regional Service Board.

Regional Plan

- Regional Plan completed and submitted to the Minister in October 2011.
- The Regional Plan outlines the recommended waste management system for the Eastern Region
 - Analysis indicated that over 90% of the population is best served via direct-haul transportation to RHB as opposed to the use of transfer stations.
 - Direct haul areas will be supported with Waste Recovery Facilities (WRFs) for disposal of residential bulky waste items and residential construction/demolition waste; 10 in total are planned (Sunnyside/Southern Harbour; Placentia; Whitbourne; Cavendish; Old Perlican; Harbour Grace; St. Joseph's; Bay Bulls; Renew-Cappahayden; Bell Island)
 - Only the Clarenville area requires a transfer station.
- Municipal Affairs had worked closely with the Committee over the past year as the plan was being developed and as a result \$3 million in capital funding required for the construction of waste recovery facilities was carried in the Department's capital budget for 2011-2012 and the work is already underway.
- The Department will be seeking funds in the 2012-2013 budget to commence work on the Clarenville transfer station.
- All operations of the regional system including the 10 WRFs, Clarenville transfer station, and all infrastructures at the RHB waste management facility are funded through the RHB tipping fee.
- The tipping fee also covers the cost of a regional transportation subsidy to cover the cost of transporting residential waste beyond 100 km.

Transition to Regional Service Board

- The Province had determined that regional waste management authorities would be established using Regional Service Boards created under the *Regional Service Boards Act*.
- The mandate from Government to the Committee included the provision that the Eastern Regional Service Board would have 50% representation from the City of St. John's and 50% representation from outside St. John's.

- The Committee determined that the region would be best represented by dividing it into seven (7) sub-regions with one (1) representative each, plus one (1) representative from Conception Bay South, Paradise, and Mount Pearl.
- The 50/50 principle necessitated equal representation from the City of St. John's for a board with a total of 20 members.
- Government approved the governance model submitted by the Committee and the Committee conducted a nomination and election process amongst communities throughout the region. Those names were subsequently submitted by the Minister for appointment.

Eastern Regional Service Board

- The Order for the current regional boundaries and the Regulations providing powers to the Board were filed in September 2011.
 - Boundaries include the towns, local service districts and unincorporated areas east of and including the Town of Clarenville and Random Island and southwest including Swift Current.
- Powers granted to the Board under the Act and Regulations include:
 - The power to construct, acquire, maintain and operate solid waste disposal sites and solid waste management facilities and systems with the eastern region.
 - The power to charge user fees to a municipality, local service district or unincorporated area in the eastern region as constituted by Section 2 of the Eastern Regional Service Board Order, or another municipality, local service district, unincorporated area or other user of a facility or service provided by the Board.
- Per the Act, the Eastern Regional Service Board is a corporation under that name.
 - For branding purposes, waste management activities may continue to be carried under the banner of "Eastern Waste Management".
- Anticipated Board activities:
 - Continue the implementation of the regional plan
 - Carry out the procurement of capital works as the Owner of regional waste management infrastructure and systems
 - Act as the sponsoring entity (owner's agent) for the closure of dumpsites throughout the region
 - Own and operate regional waste management infrastructure
 - Own and operate regional waste collection systems
 - Continue to develop waste management policies and programs to further advance waste management, with particular emphasis on waste diversion.

Mr. Grandy stated that members would find a copy of the *Regional Service Board Act* and the *Eastern Regional Service Board Regulations* in their orientation binders.

Current Operations

- With the formation of various sub-regional entities, Eastern Waste Management rapidly transitioned as a leader in waste management services for the Eastern Region
 - It currently administers six (6) waste collection contracts, providing services to over 14,000 thousand households, with a total value of approximately \$2.5 million annually.
 - Of these 14,000 households, over 4,000 are in unincorporated areas with little or no means to administer fees collection. For these, Eastern Waste

Management invoices these households directly, which also involves the administration of delinquent accounts.

- In addition to curbside collection services, Eastern Waste Management currently operates five (5) Waste Recovery Facilities, with five (5) more to be added over the coming months.
- Staff
 - Chief Administrative Officer – Ken Kelly
 - Program Coordinator – Lynn Tucker
 - Collections Officer – Bethina Brown
 - Field Operations Officer – Kevin Power
 - Field Operations Officer – Vacant
 - Administrative Assistant – Michelle Squires

Ms. Duff stated that Mr. Grandy outlined the ERSB governance and the Board structure; however, he did not mention the independent Chairperson position that remains vacant.

Mr. Grandy stated that the government has approved the Board structure of 50/50 – 50 percent of members from the City of St. John’s and 50 percent of members from outside St. John’s with one (1) independent Chairperson position. At this time, the Minister has appointed 19 members to ERSB; however, a new candidate (Kim Mercer, Mayor, Town of Mount Carmel-Mitchell’s Brook-St. Catherine’s) has been submitted to the Minister for the Southwest Avalon sub-region and Ms. Mercer remains to be formally appointed. This should happen fairly quickly.

Mr. Grandy stated that the appointment of a Chairperson is a priority for the department and he expects that to happen in the not too distant future.

Ms. O’Leary asked for clarification of the roles of the Departments of Municipal Affairs and Environment and Conservation as it pertains to waste management.

Ms. Barnes, Deputy Minister of Municipal Affairs stated that the Department of Environment and Conservation develops policies and strategies and the Department of Municipal Affairs implements those policies and strategies.

Ms. O’Leary asked what is planned for those dumpsites in the Eastern region that remain to be closed.

Mr. Grandy stated that a process is in place under their capital works program for dump/landfill closures. These sites are remediated and closed according to environmental standards. The closure process completes the site including landscaping and once completed, it is difficult to tell that the site was once a dump/landfill.

Ms. O’Leary stated that the City of St. John’s has historical dumps that may need to be addressed i.e. White Hills – are there any plans for those?

Mr. Grandy stated that there will be no going back – existing dumps/landfills in the Eastern region are what is being discussed and will be remediated.

Mr. Kelly stated that EWM started with 43 landfills, including Robin Hood Bay, and there are eleven (11) remaining to be closed as of this date.

Mr. French asked if the Board has authority with other waste streams i.e. heavy metals, special waste, HHW, etc.

Mr. Grandy stated that the Board's focus is municipal solid waste – not industrial waste that may be hazardous. The Board is responsible for typical non-hazardous waste.

Mr. French stated that paints and solvents are included and those are hazardous waste.

Mr. Grandy stated that industrial hazardous waste is outside the strategy; however, municipal waste including ICI waste is included.

Mr. Hickman noted that there is a transportation subsidy for those communities located more than 100 km from Robin Hood Bay. Is the cut off set at 100 km?

Mr. Grandy said that there is a \$0.20/km/tonne transportation subsidy for those communities located more than 100 km from RHB. It has been determined by consultants that the cost of transporting waste is not as expensive as one might think.

Mr. Kelly stated that the total transportation subsidy is \$280,000.00 annually.

Mr. Hickman asked if that figure is strictly for fuel.

Mr. Kelly stated that that figure includes all aspects of moving waste to RHB including the truck, labour, travel, fuel, etc.

Mr. French questioned if trucks coming in over the highway from all these communities would create a bigger carbon footprint than maintaining local dumps.

General discussion ensued. Mr. Grandy stated that this issue has been studied and it's been proven that the carbon footprint of transporting waste is much less than continuing to use local dumps. In addition, as newer vehicles are used to transport waste, emissions are lower.

Ms. Barnes stated that studies show methane emissions from landfills are 25% more damaging than fossil fuel emissions.

There was general discussion regarding the use of transfer stations, waste recovery facilities, and direct haul to the Regional Facility at RHB. The focus of the discussion moved to waste diversion.

4. Review of Minutes of the November 1, 2011 Meeting of Eastern Waste Management Committee

At this time, several of the outgoing Eastern Waste Management Committee members expressed a desire to leave if there is no further business for them at this evening's meeting. As the meeting

minutes of the November 1, 2011 EWM Committee meeting have yet to be adopted, it was agreed to review the minutes at this time.

It was moved and seconded (L Moriarty/R Wiseman) that the minutes of November 1, 2011 meeting are adopted as is.

MOTION 2011-001: Carried

5. Election of Vice-Chairperson – Department of Municipal Affairs

Mr. Grandy introduced Mr. Chad Blundon, Director of Local Governance, Department of Municipal Affairs, to conduct the election of vice-chairperson.

Mr. Blundon explained that as the ERSB does not have a Chairperson, the role of Vice-Chairperson becomes critical. This person would be responsible to sign cheques to ensure the continued operations of EWM and ERSB, etc. In the opinion of the Department of Municipal Affairs the legislation does not state the duties or role of the Vice-Chairperson so the Department is interpreting this that in the absence of the Chairperson, the Vice-Chairperson can perform all duties. In light of the importance of having someone in this role until a Chairperson is appointed, a Vice-Chairperson will be elected this evening.

Mr. Blundon outlined the following procedure for the election of Vice-Chairperson and circulated a handout containing the following:

- a) The Vice-Chairperson will be elected by a majority vote of those Board members in attendance.
- b) The vote will be conducted by secret ballot.
- c) Nominations will be taken from the floor and will require a seconder. A person may nominate him/herself.
- d) Nominees will be provided an opportunity to address the Board prior to voting.
- e) In the event that no nominee receives a majority of votes cast after the first round of voting, all nominees will be ranked in accordance to the number of votes received. All nominees except those nominees ranking 1-3 (inclusive) will be dropped from the ballot and a subsequent vote will be held. If no nominee receives a majority of votes cast after the second round of voting, all nominees except those ranked 1-2 (inclusive) will be dropped from the ballot and a subsequent vote will be held. This process will continue until one nominee receives a majority of the votes cast.

It was moved and seconded (F Galgay/C Ash) to adopt the procedure to elect a Vice-Chairperson as outlined by Mr. Blundon.

MOTION 2011-002: Carried

Mr. Blundon called for nominations.

Ms. Dobbie nominated Mr. Harold Mullowney. Ms. Duff seconded.
Mr. Mullowney accepted the nomination.

Mr. Aker nominated Mr. Woodrow French. Ms. O'Leary seconded.

Mr. French accepted the nomination.

Mr. Blundon asked for further nominations three more times. As there were no further nominations, voting was conducted by a secret ballot. Mr. Byrne and Ms. Field of Municipal Affairs acted as scrutineers for the counting of the ballots.

Mr. Blundon announced that **Mr. Harold Mallowney is elected Vice-Chairperson of the Eastern Regional Service Board.**

6. Designation of Signatories for EWM Bank Account and Business - Eastern Waste Management

Mr. Kelly stated that new signatories must be designated as the *Regional Service Board Act* states that the Chairperson must be one of the signatories and any other signatories must be Board members.

There was discussion regarding this matter. Mr. Mallowney must be one of the signatories. Both Ms. Duff and Mr. Butt volunteered to be signatories.

Mr. Kelly informed them that they would be required to visit our bank in the near future to sign signature cards.

It was moved and seconded (S Hickman/W French) that any two of Mr. Harold Mallowney, Ms. Shannie Duff, and Mr. Walter Butt will be required to sign cheques for Eastern Waste Management and/or Eastern Regional Service Board.

MOTION 2011-003: Carried

7. Submission of Request to Municipal Affairs to Fund Capital Works at Old Perlican Waste Recovery Facility

Mr. Kelly outlined that there is capital works required at the Old Perlican Waste Recovery Facility site – this would be for the final closure of the landfill site and the work required to make it a waste recovery facility.

It was moved and seconded (W French/S Duff) that the Chief Administrative Officer for Eastern Waste Management writes the Department of Municipal Affairs and request funding for the capital works required at Old Perlican Waste Recovery site.

MOTION 2011-004: Carried

8. Next Meeting – December 7, 2011

Mr. Kelly stated that the December meeting will also include a Christmas dinner/social; therefore, the next meeting will begin at 6:00 p.m. on December 7th with our Christmas dinner beginning at

7:00 p.m., immediately following our meeting. Information will be sent to everyone about a week in advance of the meeting.

Several members asked when meetings are generally held. Mr. Kelly stated that EWM meetings take place in the evening of the first Wednesday of each month. Meetings have been held at this time to accommodate those who attend from out of town.

9. Adjournment

**It was moved by W French to adjourn the meeting at 9:00 p.m.
MOTION 2011-005: Carried**

Prepared by: Lynn Tucker (November 16, 2011)